

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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BERNARD-EX,

Plaintiff,

v.

PUPO *et al.*,

Defendants.

ORDER

Case No.: 2:21-cv-00100-RFB-BNW

BERNARD-EX,

Plaintiff,

v.

LAURA REHFELDT *et al.*,

Defendants.

Case No.: 2:21-cv-00703-RFB-BNW

BERNARD-EX,

Plaintiff,

v.

DEANNA MOLINAR *et al.*,

Case No.: 2:21-cv-00704-RFB-BNW

BERNARD-EX,

Plaintiff,

v.

STEVEN WOLFSON,

Defendants.

Case No.: 2:21-cv-00705-RFB-BNW

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3 BERNARD-EX,

4 Plaintiff,

Case No.: 2:21-cv-00706-RFB-BNW

5 v.

6 MARK CHAMBERS,

7 Defendants.

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10 BERNARD-EX,

11 Plaintiff,

12 v. Case No.: 2:21-cv-00710-RFB-BNW

13 AARON FORD,

14 Defendants.

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16 BERNARD-EX,

17 Plaintiff,

18 v. Case No.: 2:21-cv-00716-RFB-BNW

19 ROBERT WERBICKY,

20 Defendants.

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22 BERNARD-EX,

23 Plaintiff,

24 v. Case No.: 2:21-cv-00718-RFB-BNW

25 STATE OF NEVADA,

26 Defendants.

1 BERNARD-EX.,

2 Plaintiff,

3 v.

4 LAS VEGAS METROPOLITAN POLICE
5 DEPARTMENT,

6 Defendants.

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10 Before the Court for consideration is the Report and Recommendation of the Honorable
11 Brenda Weksler, United States Magistrate Judge, entered July 16, 2021. ECF No. 126.12 A district court “may accept, reject, or modify, in whole or in part, the findings or
13 recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1). A party may file specific
14 written objections to the findings and recommendations of a magistrate judge. 28 U.S.C. §
15 636(b)(1); Local Rule IB 3-2(a). When written objections have been filed the district court is
16 required to “make a de novo determination of those portions of the report or specified proposed
17 findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1); see also Local
18 Rule IB 3-2(b). Where a party fails to object, however, a district court is not required to conduct
19 “any review,” de novo or otherwise, of the report and recommendations of a magistrate judge.
20 Thomas v. Arn, 474 U.S. 140, 149 (1985). Pursuant to Local Rule IB 3-2(a), objections were due
21 by July 16, 2021. No timely objections have been filed. The Court has reviewed the record in this
22 case and concurs with the Magistrate Judge’s recommendations.23 In accordance with Magistrate Judge’s recommendation, Plaintiff is permitted to file an
24 amended complaint. Plaintiff is advised that the amended complaint must contain all claims,
25 defendants, and factual allegations that plaintiff wishes to pursue in this lawsuit. Plaintiff is further
26 advised that he must specify which claims he is alleging against which defendants. Although the
27 Federal Rules of Civil Procedure adopt a flexible pleading policy, plaintiff must give fair notice
28 of each of the claims he is alleging against each defendant. He must allege facts showing how each

1 defendant is involved and the approximate dates of their involvement. Put another way, plaintiff
2 should tell the Court, in plain language, what each defendant did to him and when. “[L]egal
3 conclusions can provide the framework of a complaint, they must be supported with factual
4 allegations.” Ashcroft v. Iqbal, 556 U.S. 662, 679 (2009).

5 Additionally, plaintiff’s amended complaint must be short and plain. The simpler and more
6 concise plaintiff’s complaint, the easier it is for the Court to understand it. The Federal Rules also
7 require this. Under Federal Rule of Civil Procedure 8, Plaintiff’s amended complaint must contain
8 “a short and plain statement of the claim showing that [Plaintiff] is entitled to relief.” Fed. R.
9 Civ. P. 8(a)(2). “Each allegation must be simple, concise, and direct.” Fed. R. Civ. P. 8(d)(1). “A
10 party must state its claims or defenses in numbered paragraphs, each limited as far as practicable
11 to a single set of circumstances.” Fed. R. Civ. P. 10(b). “[E]ach claim founded on a separate
12 transaction or occurrence . . . must be stated in a separate count.” Id.

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1 **IT IS THEREFORE ORDERED** that the Report and Recommendation [126] is
2 ACCEPTED and ADOPTED in full.

3 **IT IS FURTHER ORDERED** that Plaintiff shall have until August 31, 2021, to file an
4 amended complaint in the leading case (2:21-cv-00100-RFB-BNW).

5 **IT IS FURTHER ORDERED** that all pending motions in the following cases are
6 DENIED with leave to re-file—where appropriate—in the leading case: 2:21-cv-00703-RFB-
7 BNW; 2:21-cv-00704-RFB-BNW; 2:21-cv-00705-RFB-BNW; 2:21-cv-00706-RFB-BNW; 2:21-
8 cv-00710-RFB-BNW; 2:21-cv-00716-RFB-BNW; 2:21-cv-00718-RFB-BNW; 2:21-cv-00843-
9 RFB-BNW.

10 **IT IS FURTHER ORDERED** that the following cases be DISMISSED and closed: 2:21-
11 cv-00703-RFB-BNW; 2:21-cv-00704-RFB-BNW; 2:21-cv-00705-RFB-BNW; 2:21-cv-00706-
12 RFB-BNW; 2:21-cv-00710-RFB-BNW; 2:21-cv-00716-RFB-BNW; 2:21-cv-00718-RFB-BNW;
13 2:21-cv-00843-RFB-BNW.

14 **IT IS FURTHER ORDERED** that all pending motions in the leading case (2:21-cv-
15 00100-RFB-BNW) are DENIED without prejudice and may be re-filed after Plaintiff files the
16 amended complaint.

17 The Court Clerk is directed to mail a copy of this order to Plaintiff.

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20 DATED: August 3, 2021.

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RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE